

SENATE BILL No. 471

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-41-4-1; IC 16-46-10-3; IC 20-5-62-8; IC 20-8.1; IC 20-10.1.

Synopsis: Medically accurate education. Requires the provision of medically accurate information at the various times that health, AIDS, HIV, or abstinence education is required by statute.

Effective: July 1, 1999.

Bowser

January 13, 1999, read first time and referred to Committee on Education.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE BILL No. 471

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-41-4-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. The state department
3 must provide **medically accurate** information stressing the moral
4 aspects of abstinence from sexual activity in any literature that the state
5 department distributes to school children and young adults concerning
6 available methods for the prevention of acquired immune deficiency
7 syndrome (AIDS). Such literature must state that the best way to avoid
8 AIDS is for young people to refrain from sexual activity until the young
9 people are ready as adults to establish, in the context of marriage, a
10 mutually faithful monogamous relationship.

11 SECTION 2. IC 16-46-10-3 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) Funding provided
13 a local board of health under section 2 of this chapter may be used by
14 the local board to provide any of the following services:

- 15 (1) Animal and vector control.
16 (2) Communicable disease control, including immunizations.
17 (3) Food sanitation.

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- 1 (4) Environmental health.
 2 (5) **Medically accurate** health education.
 3 (6) Laboratory services.
 4 (7) Maternal and child health services, including prenatal clinics
 5 and well-child clinics.
 6 (8) Nutrition services.
 7 (9) Public health nursing, including home nursing visitation and
 8 vision and hearing screening.
 9 (10) Vital records.
 10 (b) Money granted a local board of health from the local health
 11 maintenance fund may not be used for any purpose other than for the
 12 services listed in this section.
 13 SECTION 3. IC 20-5-62-8 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) The contract must
 15 contain the following provisions:
 16 (1) A list of the statutes and rules that are suspended from
 17 operation in a freeway school corporation or freeway school, as
 18 listed in section 5 of this chapter.
 19 (2) A description of the privileges of a freeway school corporation
 20 or freeway school, as listed in section 6 of this chapter.
 21 (3) A description of the educational benefits listed in section 7 of
 22 this chapter that a freeway school corporation or freeway school
 23 agrees to:
 24 (A) achieve by the end of five (5) complete school years after
 25 the contract is signed; and
 26 (B) maintain at the end of:
 27 (i) the sixth; and
 28 (ii) any subsequent;
 29 complete school year after the contract is signed.
 30 (4) A plan and a schedule for the freeway school corporation or
 31 freeway school to achieve the educational benefits listed in
 32 section 7 of this chapter by the end of five (5) complete school
 33 years after the contract is signed. The schedule must show some
 34 percentage of improvement by the end of the second, third, and
 35 fourth complete school years after the contract is signed.
 36 (5) A school by school strategy, including curriculum, in which
 37 character education is demonstrated to be a priority. The strategy
 38 required under this subdivision must include the following
 39 subjects as integral parts of each school's character education:
 40 (A) Hygiene.
 41 (B) Alcohol and drugs.
 42 (C) Diseases transmitted sexually or through drug use,

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1 including AIDS.

2 (D) Honesty.

3 (E) Respect.

4 (F) Abstinence and restraint.

5 **The instruction under clauses (A), (B), (C), and (F) must be**
6 **medically accurate.**

7 (6) A plan under which the freeway school corporation or freeway
8 school will offer courses that will allow a student to become
9 eligible to receive an honors diploma.

10 (7) A plan under which the freeway school corporation or freeway
11 school will maintain a safe and disciplined learning environment
12 for students and teachers.

13 (b) In the contract:

14 (1) the quantitative measures of benefits may be higher, but not
15 lower, than the minimum educational benefits listed in section 7
16 of this chapter; and

17 (2) educational benefits may be included in addition to the
18 minimum educational benefits listed in section 7 of this chapter.

19 SECTION 4. IC 20-8.1-7-21 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 21. (a) The state board
21 of education shall provide **medically accurate** information stressing
22 the moral aspects of abstinence from sexual activity in any literature
23 that it distributes to school children and young adults concerning
24 available methods for the prevention of acquired immune deficiency
25 syndrome (AIDS). Such literature must state that the best way to avoid
26 AIDS is for young people to refrain from sexual activity until they are
27 ready as adults to establish, in the context of marriage, a mutually
28 faithful monogamous relationship.

29 (b) The state board of education may not distribute AIDS literature
30 described in subsection (a) to school children without the consent of
31 the governing body of the school corporation the school children
32 attend.

33 SECTION 5. IC 20-8.1-11-13 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 13. The council shall
35 do the following:

36 (1) Identify and study **medically accurate** educational materials
37 and resources on AIDS that are available for use in the schools
38 within the school corporation.

39 (2) Determine which educational materials and resources are
40 based on sound medical principles and reflect the attitude of the
41 community.

42 (3) Recommend to the school corporation educational materials

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1 and resources on AIDS that reflect the standards of the
2 community.

3 SECTION 6. IC 20-10.1-4-5 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. Each school
5 corporation shall include in its curriculum the following studies:

6 (1) Language arts, including English, grammar, composition,
7 speech, and second languages.

8 (2) Mathematics.

9 (3) Social studies and citizenship, including the constitutions,
10 governmental systems, and histories of Indiana and the United
11 States.

12 (4) Sciences.

13 (5) Fine arts, including music and art.

14 (6) **Medically accurate** health education, physical fitness, safety,
15 and the effects of alcohol, tobacco, drugs, and other substances on
16 the human body.

17 (7) Additional studies selected by each governing body, subject
18 to revision by the state board of education.

19 SECTION 7. IC 20-10.1-4-10 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 10. (a) Each school
21 corporation shall include in its curriculum **medically accurate**
22 instruction concerning the disease known as acquired immune
23 deficiency syndrome (AIDS) and shall integrate this effort to the extent
24 possible with **medically accurate** instruction on other dangerous
25 communicable diseases.

26 (b) A school corporation shall consider the recommendations of the
27 AIDS advisory council (as established in IC 20-8.1-11) concerning
28 community standards on the content of the instruction, the manner in
29 which the information is presented, and the grades in which it is taught.

30 (c) Literature that is distributed to school children and young adults
31 under this section must include information required by IC 20-8.1-7-21.

32 (d) The department, in consultation with the state department of
33 health, shall develop **medically accurate** AIDS educational materials.
34 The department shall make the materials developed under this section
35 available to school corporations.

36 SECTION 8. IC 20-10.1-4-11 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 11. ~~Throughout~~
38 Instruction on human sexuality or sexually transmitted diseases **must**
39 **be medically accurate.** An accredited school shall:

40 (1) teach abstinence from sexual activity outside of marriage as
41 the expected standard for all school age children;

42 (2) include that abstinence from sexual activity is the only certain

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1 way to avoid out-of-wedlock pregnancy, sexually transmitted
 2 diseases, and other associated health problems; and
 3 (3) include that the best way to avoid sexually transmitted
 4 diseases and other associated health problems is to establish a
 5 mutually faithful monogamous relationship in the context of
 6 marriage.

7 SECTION 9. IC 20-10.1-9-3 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) The following
 9 classifications are established to encompass all subjects in all grades
 10 of the public schools for which credit is given:

- 11 (1) Language arts-English, spelling, and literature.
- 12 (2) Social studies.
- 13 (3) Mathematics.
- 14 (4) Science and **medically accurate** health education.
- 15 (5) Miscellaneous.
- 16 (6) Language arts-reading and handwriting.
- 17 (7) Foreign languages.

18 (b) When the classification for a particular textbook subject is
 19 unclear, it shall be determined by the rules of the state board of
 20 education.

21 SECTION 10. IC 20-10.1-9-4 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) Prior to
 23 December 15, 1984, and in every sixth year thereafter, the state board
 24 of education shall make a regular adoption of, and contract for,
 25 textbooks for each subject under the classification of social studies at
 26 a meeting held for that purpose.

27 (b) Prior to December 15, 1985, and in every sixth year thereafter,
 28 the state board of education shall make a regular adoption of, and
 29 contract for, textbooks for each subject under the classification of
 30 mathematics at a meeting held for that purpose.

31 (c) Prior to December 15, 1986, and in every sixth year thereafter,
 32 the state board of education shall make a regular adoption of, and
 33 contract for, textbooks for each subject under the classification of
 34 science and **medically accurate** health education, at a meeting held for
 35 that purpose.

36 (d) Prior to December 15, 1987, and in every sixth year thereafter,
 37 the state board of education shall make a regular adoption of, and
 38 contract for, textbooks for each subject under the classification of
 39 miscellaneous at a meeting held for that purpose.

40 (e) Prior to December 15, 1988, and in every sixth year thereafter,
 41 the state board of education shall make a regular adoption of, and
 42 contract for, textbooks for each subject under the classification of

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1 language arts-reading and handwriting, at a meeting held for that
2 purpose.

3 (f) Prior to December 15, 1989, and in every sixth year thereafter,
4 the state board of education shall make a regular adoption of, and
5 contract for, textbooks for each subject under the classifications of
6 language arts-English, spelling, and literature, and foreign languages
7 at a meeting held for that purpose.

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